

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.214

CRM-M-22746-2020

Date of decision: 21.12.2020

Jagdev Singh

....Petitioner

versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Siddharth Gupta, Advocate
for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

* * *

DEEPAK SIBAL, J. (Oral)

Case taken up through video conferencing.

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.0070 dated 30.05.2020 registered under Sections 363, 366A IPC at Police Station City Jagraon, District Ludhiana.

Jaswinder Kaur filed a complaint with regard to her daughter-Vishali, aged 17 years, having been enticed by the petitioner and on the basis of such complaint the aforesaid FIR was registered.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case for the reason that the complainant's daughter and the petitioner are in love and want to marry each other against the wishes of the complainant; there is no other case in which the petitioner is involved; the complainant's daughter namely Vishali has attained majority on 16.12.2020 and has made a statement under Section 164 Cr.P.C. to the effect that she wants to marry the petitioner and live with him and that under the interim orders passed by this Court the petitioner has not only joined the investigation, he has also fully cooperated with the investigating agency.

Learned State counsel admits to the fact that the complainant's daughter has stated under Section 164 Cr.P.C. that she had gone with the petitioner with her own free will and that on attaining majority she wants to marry him. He further submits that under the interim orders passed by

this Court the petitioner has not only joined the investigation he has also fully co-operated with the investigating agency and that his custodial interrogation is not required by the State.

The complainant's daughter, who is said to have attained majority on 16.12.2020, has made statement under Section 164 Cr.P.C. that she had gone with the petitioner with her own free will and that on her attaining majority she wants to marry him.

In view of the above and for the reason that there is no other criminal case in which the petitioner is involved as also because the learned State counsel has stated that the petitioner has joined the investigation and that his custodial interrogation is not required by the State, the order of this Court dated 30.09.2020, granting ad-interim anticipatory bail to the petitioner is made absolute.

After verifying the fact that the complainant's daughter has attained majority the State shall get her released from Nari Niketan, Jalandhar, where she is presently housed and would see to it that she joins the company of whomsoever she wishes to.

In the facts of the present case, SSP, Jalandhar, shall also ensure that no bodily harm comes to either Vishali or the petitioner.

Nothing observed herein-above shall be considered to be an expression of opinion by this Court on the merits of the case.

(DEEPAK SIBAL)
JUDGE

December 21, 2020

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Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No